

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:09-CR-216-FL

UNITED STATES OF AMERICA

v.

DANIEL PATRICK BOYD, et al.,

Defendants.

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ORDER

This case comes before the court *sua sponte* in connection with issues relating to the motions to continue arraignment and trial filed by defendant Hysen Sherifi (D.E. 360) on Sunday, 23 May 2010, and by defendant Daniel Boyd (D.E. 367) yesterday, 25 May 2010. Boyd's motion was filed minutes after the court had entered an Order (D.E. 366) setting out, among other directives, deadlines for responses to Sherifi's motion and supplementation of that motion to the extent necessary to conform it to the requirements of the Order. The court believes that efficiency would be promoted by establishing the same deadlines for responses to and any necessary supplementation of both the Sherifi and Boyd motions.

IT IS THEREFORE ORDERED as follows:

1. Each party (other than the movants with respect to their own motions) shall file a response to the motions for continuance by Sherifi and Boyd no later than Tuesday, 1 June 2010. Each party may file a separate response to each motion or a single response addressing both motions.

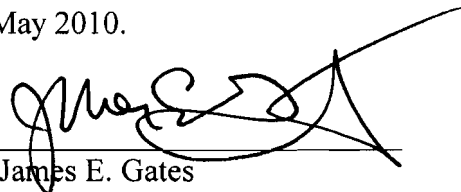
2. As required by the court's order of yesterday, any party who joins in the Sherifi or Boyd motion shall include in their response to it the information required by the court's Order of yesterday, namely:

- (a) a detailed explanation why a continuance for the requested period is purportedly needed;
- (b) a detailed explanation why the party's use of additional personnel (e.g., contract attorneys, paralegals) in case preparation, including specifically review of audio recordings and other discovery materials, could not be employed to reduce the length of the continuance sought or eliminate the need for the requested continuance altogether. *See, e.g., Guide to Judiciary Policy*, Chapter 2, Volume 7A, § 230.53 (Compensation of Co-Counsel); and
- (c) a detailed plan for use of the additional time requested for case preparation.

3. Any party who does not join in either Sherifi's or Boyd's motion shall state in his response his present position on the current arraignment and trial dates, 10 September and 27 September 2010, respectively.

4. Sherifi and Boyd shall file by Friday, 28 May 2010, a supplement to their respective motions that includes the information required in paragraph 2 above to the extent it is not already included in their respective motions.

SO ORDERED, this the 26th day of May 2010.


James E. Gates
United States Magistrate Judge